

# SENATE BILL REPORT

## HB 1771

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As of March 15, 2005

**Title:** An act relating to school meal programs.

**Brief Description:** Requiring school breakfast programs in certain schools.

**Sponsors:** Representatives McDermott, Nixon, Tom, Santos, Simpson, Chase, Quall and Kenney.

**Brief History:** Passed House: 3/10/05, 60-34.

**Committee Activity:** Early Learning, K-12 & Higher Education: 3/25/05.

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### SENATE COMMITTEE ON EARLY LEARNING, K-12 & HIGHER EDUCATION

**Staff:** Brian Jeffries (786-7422)

**Background:** The federal government, through its child nutrition programs, offers funding to help support school lunch, school breakfast, and summer feeding programs for school children. All school meals served under the federal School Breakfast and National School Lunch Programs receive some level of federal support. Schools that choose to participate in the program receive cash subsidies from the United States Department of Agriculture for each meal they serve. In return, they must serve meals that meet federal requirements and must offer free or reduced-price meals to eligible children. Federal reimbursements are the highest for free or reduced-price school meals served to low-income students.

Summer feeding programs offer food assistance to children during the summer months when the School Breakfast Program and National School Lunch Program are not operating. The National Summer Food Service Program provides federal funding for lunch programs provided to summer school students.

Until 2004, school districts in Washington could choose whether to offer school lunch and summer feeding programs. The 2004 Legislature, through the passage of ESB 6411, required school districts to begin offering school lunch and summer feeding programs if a certain percentage of the students qualify for free or reduced-price meals. Beginning with the 2005-06 school year, school districts must implement a school lunch program in elementary schools serving students in kindergarten through fourth grade if 25 percent of the students in the school qualify for free or reduced price lunches. School districts may obtain a waiver from the requirement under circumstances that have yet to be determined.

School districts that have schools with summer academic, enrichment, or remedial programs must implement a summer food service program that is open to area children if 50 percent of the students in the summer program qualify for free or reduced price lunches. The districts may obtain a waiver from the requirement if there is a compelling reason not to open a summer food program. For schools with existing school lunch programs, summer food

service programs must be implemented in the summer of 2005; for other schools, they must be implemented the summer following the implementation of a school lunch program.

Presently, all but 36 school districts offer a school breakfast program. Two hundred and fifty-six schools, not all of them in the 36 districts, do not offer school breakfasts.

**Summary of Bill:** School districts must implement school breakfast programs in schools in which more than 40 percent of the students qualify for free or reduced-price meals. The programs must be implemented by the 2005-06 school year. Schools in which school lunch programs began after the 2003-04 school year must begin a breakfast program by the second year following the commencement of their lunch program. The districts must annually provide the Superintendent of Public Instruction (SPI) with information that will help determine which schools are required to participate in the breakfast program.

School districts may be exempted from the requirements if they can show the SPI good cause for that exemption. The SPI will consult with representatives of school directors, school food service, community-based organizations and the Washington State Parent Teacher Association when designing the process and criteria for the exemptions.

The requirement that districts offer school breakfast and summer nutrition programs does not become a state funding obligation and is not included in basic education. Finally, the terms "school breakfast program" and "severe-need school" are defined.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.